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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,138	03/30/2001	Richard Bardini	020699000600	8672
20350	7590	10/19/2004	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			LY, ANH VU H	
			ART UNIT	PAPER NUMBER
			2667	

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/823,138

Inventor(s)

BARDINI, RICHARD

Examiner

Anh-Vu H Ly

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10 is/are allowed.
- 6) ☒ Claim(s) 1-3 and 6-9 is/are rejected.
- 7) ☒ Claim(s) 4 and 5 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

1. Claims 1-3 and 6-9 are rejected under 35 U.S.C. 102(a) as being anticipated by Domon, W. (EP 1,087,581 A2). Hereinafter, referred to as Domon.

With respect to claims 1, 7, and 9, Domon discloses in Fig. 4, a block diagram showing a contruction of a bridge comprises CPU 125 (a firmware control configured to control operation of isochronous data processor), memory 126 (a storage medium for storing data markers and their associated isochronous data packets), and plurality of switching modules 124a and 124b (an isochrnous data processor configured to process isochronous data packets) for directing isochronous data packets. Domon discloses in Fig. 7B, packet reception cycle identification information with a header attached to the head (isochronous data processor inserts a data marker at beginning of each of isochronous data packets).

With respect to claims 2, 7, and 9, Domon discloses in Fig. 3, a timing chart showing an operation at the time of transferring isochronous packets using the attached information to synchronize the transmitted isochronous data packets (wherein upon retrieving data from storage medium, isochronous data processor uses data marker to synchronize data delivery to a device).

With respect to claim 3, Domon discloses in Fig. 3, that the transmitted isochronous packet begins at the transmit time interval (wherein data delivery is synchronized in that data delivery begins with an isochronous data packet which corresponds to a frame boundary).

With respect to claims 6 and 8, Domon discloses in Fig. 4, plurality of portals 121-123 coupled to plurality of 1394 bus (wherein isochronous data packets are transmitted in accordance with IEEE 1394 specification).

Allowable Subject Matter

2. Claims 4 and 5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

3. Claim 10 is allowed.

The following is an examiner's statement of reasons for allowance:

The prior art does not teach or fairly suggest if isochronous data packet contains data marker, checking whether synchronization indicator is set to a second state from the first state; if synchronization is set to the second state, outputting isochronous data packet to a requesting device; if synchronization indicator is not set to a second state, checking whether isochronous data packet corresponds to start of a frame; if isochronous data packet corresponds to start of frame, setting synchronization indicator to second state and outputting isochronous data packet to requesting device, as specified in independent claim 10.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ludtke et al (US Patent No. 6,593,937 B2) discloses method and apparatus for handling high bandwidth on-screen-display graphics data over a distributed IEEE 1394 network utilizing an isochronous data transmission format.

Yoon et al (US Patent No. 6,687,264 B1) discloses method for reassigning channels during transmission of IEEE 1394 isochronous data to external synchronous networks.

James et al (US Patent No. 6,414,971 B1) discloses system and method for delivering data packets in an electronic interconnect.


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh-Vu H Ly whose telephone number is 571-272-3175. The examiner can normally be reached on Monday-Friday 7:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

avl


CHI PHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600 6/18/04